



**Zoning Board of Adjustment  
November 2, 2010  
6:00 PM**

**City Hall  
2<sup>nd</sup> Floor Conference Room # 1  
1101 Texas Avenue,  
College Station, Texas**

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**AGENDA**  
**ZONING BOARD OF ADJUSTMENT**  
**Regular Meeting**  
**Tuesday, November 02, 2010 at 6:00 PM**  
**City Hall 2<sup>nd</sup> Floor Conference Room # 1**  
**1101 Texas Avenue**  
**College Station, Texas 77840**

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1. Call to order – Explanation of functions of the Board.
2. Consideration, discussion and possible action of Absence Requests from meetings.  

There were no requests to consider at time of packet preparation.
3. Discussion of requested Administrative Adjustments.
  - 3406 Treeline Drive - 4.8% reduction (4.4 inches) to the 7.5-foot side setback. Approved Case # 10-00500215 (JP)
  - 3514 Pikes Peak Court - 4.3% reduction (7.8 inches) to the 15-foot front setback (rear parking provided). Approved Case # 10-00500216 (JP)
  - 3526 Colorado Court - 1.8% reduction (3.24 inches) to the 15-foot side street setback. Approved Case # 10-00500217 (JP)
  - 3522 Colorado Court - 2.6% reduction (5.4 inches) to the 15-foot front setback (rear parking provided). Approved Case # 10-00500218 (JP)
4. Consideration, discussion and possible action to approve meeting minutes.
  - September 28, 2010 meeting minutes.
5. Public hearing, presentation, possible action, and discussion regarding variance requests to Section 7.4, Signs, of the Unified development Ordinance for the property located at 800 Aberdeen Place. Lot 4, Block 21, of the College Park Subdivision. Case # 10-00500178 (LH)
6. Consideration and possible action on future agenda items – A Zoning Board Member may inquire about a subject for which notice has not been given. A statement of specific factual information or the recitation of existing policy may be given. Any deliberation shall be limited to a proposal to place the subject on an agenda for a subsequent meeting.
7. Adjourn.

Consultation with Attorney {Gov't Code Section 551.071; possible action.

The Zoning Board of Adjustments may seek advice from its attorney regarding a pending and contemplated litigation subject or attorney-client privileged information. After executive session discussion, any final action or vote taken will be in public. If litigation or attorney-client privileged information issues arise as to the posted subject matter of this Zoning Board of Adjustments meeting, an executive session will be held.

Notice is hereby given that a Regular Meeting of the Zoning Board of Adjustment of College Station, Texas will be held on Tuesday, November 02, 2010 at 6:00 p.m. at the City Hall 2<sup>nd</sup> Floor Conference Room # 1, 1101 Texas Avenue, College Station, Texas. The following subjects will be discussed, to wit: See Agenda

Posted this the \_\_\_\_ day of \_\_\_\_\_, 2010 at \_\_\_\_ p.m.

CITY OF COLLEGE STATION, TEXAS

By \_\_\_\_\_

Sherry Mashburn, City Secretary

I, the undersigned, do hereby certify that the above Notice of Regular Meeting of the Zoning Board of Adjustment of the City of College Station, Texas, is a true and correct copy of said Notice and that I posted a true and correct copy of said notice on the bulletin board at City Hall, 1101 Texas Avenue, in College Station, Texas, and the City's website, [www.cstx.gov](http://www.cstx.gov). The Agenda and Notice are readily accessible to the general public at all times. Said Notice and Agenda were posted on \_\_\_\_\_ p.m. and remained so posted continuously for at least 72 hours proceeding the scheduled time of said meeting.

This public notice was removed from the official posting board at the College Station City Hall on the following date and time: \_\_\_\_\_ by \_\_\_\_\_

Dated this \_\_\_\_ day of \_\_\_\_\_, 2010.

CITY OF COLLEGE STATION, TEXAS

By \_\_\_\_\_

Subscribed and sworn to before me on this the \_\_\_\_ day of \_\_\_\_\_, 2010.

\_\_\_\_\_  
Notary Public- Brazos County, Texas

My commission expires: \_\_\_\_\_

This building is wheelchair accessible. Handicap parking spaces are available. Any request for sign interpretive service must be made 48 hours before the meeting. To make arrangements call 979.764.3517 or (TDD) 800.735.2989. Agendas may be viewed on [www.cstx.gov](http://www.cstx.gov).



***MINUTES***  
**ZONING BOARD OF ADJUSTMENT**  
**September 28, 2010**  
**CITY OF COLLEGE STATION, TEXAS**  
**CITY HALL - COUNCIL CHAMBERS**  
**1101 Texas Avenue**  
**6:00 P.M.**

**MEMBERS PRESENT:** Chairman Rodney Hill, Josh Benn, Dick Dabney, Melissa Cunningham and Hunter Goodwin.

**STAFF PRESENT:** Staff Assistant Deborah Grace-Rosier, Staff Planner Lauren Hovde, Assistant Director Lance Simms, First Assistant City Attorney Mary Ann Powell, Action Center Representative Kerry Mullins.

**AGENDA ITEM NO. 1:** Call to order – Explanation of functions of the Board.

Chairman Hill called the meeting to order at 6:02 PM.

**AGENDA ITEM NO. 2:** Oath of Office.

~ Hunter Goodwin

Mr. Goodwin took the Oath of Office.

**AGENDA ITEM NO. 3:** Consideration, discussion and possible action of Absence Requests from meetings.

Hunter Goodwin ~ September 7, 2010

Mr. Dabney motioned to approve the absence request. Ms. Cunningham seconded the motion which passed unopposed (4-0)

**AGENDA ITEM NO. 4:** Consideration, discussion and possible action to approve meeting minutes.

- September 7, 2010, meeting minutes.

Ms. Cunningham motioned to approve the meeting minutes. Mr. Dabney seconded the motion, which passed (4-0).

**AGENDA ITEM NO. 5:** Public hearing, presentation, possible action, and discussion on a variance request to the Unified Development Ordinance, Section 7.4 “Signs” for 4401 State Highway 6 South, Lots 6, 9, 11-13, Block 1 of the Spring Creek Commons Subdivision. Case # 10-00500178.

*Board Member Benn arrived at the meeting.*

Staff Planner Lauren Hovde presented the staff report. She stated that at the July 6, 2010 meeting, the Zoning Board of Adjustment granted variance requests for this property. However, upon applying for a sign permit, the applicant realized that the area and height of the Entrance Directional Sign (EDS) was incorrectly requested during the variance process. The applicant is now requesting a new 6-foot 4-inch variance to the height of the EDS, making that sign 10’4” in height. Due to the change in height, a variance is also being requested to enable the EDS sign to be 49.08 square feet in area.

Chairman Hill opened the public hearing.

Speaking in favor of the request:

Veronica Morgan, 511 University Drive, stepped before the Board and was sworn in by Chairman Hill. Ms. Morgan gave a presentation of the requested variances.

With no one else stepping forward to speak, Chairman Hill closed the public hearing.

**Mr. Benn motioned to approve the variance due to the unique condition of the lot size and campus setting, a hardship of the inability to provide adequate directions for a medical facility, and with the limitations of a 1’8” height variance, and a 10.88 sq. ft. area variance. Mr. Goodwin seconded the motion, which passed (4-1). Chairman Hill voting for denial.**

These variances are above and beyond the entrance directional sign variances granted at the July 6, 2010 meeting of the Board.

**AGENDA ITEM NO. 6:** Consideration and possible action on future agenda items – A Zoning Member may inquire about a subject for which notice has not been given. A statement of specific factual information or the recitation of existing policy may be given. Any deliberation shall be limited to a proposal to place the subject on an agenda for a subsequent meeting.

There were no items addressed.

**AGENDA ITEM NO. 7:** Adjourn.

The meeting was adjourned at 6:30 PM.

**APPROVED:**

\_\_\_\_\_  
**Rodney Hill, Chairman**

**ATTEST:**

\_\_\_\_\_  
**Deborah Grace-Rosier, Staff Assistant**



**VARIANCE REQUEST  
FOR  
800 ABERDEEN PLACE**

<b>REQUEST:</b>	Directional Traffic Control Sign
<b>LOCATION:</b>	800 Aberdeen Place Lot 4, Block 21, College Park Subdivision
<b>APPLICANT:</b>	Reverend Dr. Rhoda Montgomery
<b>PROPERTY OWNER:</b>	Saint Thomas Episcopal Church
<b>PROJECT MANAGER:</b>	Lauren A. Hovde, Staff Planner <a href="mailto:lhovde@cstx.gov">lhovde@cstx.gov</a>
<b>RECOMMENDATION:</b>	Denial

**BACKGROUND:** The applicant is requesting signage to direct visitors and members to the St. Thomas parking area located at the dead-end of Aberdeen Place. However, the location of the proposed sign is not within the bounds of the church site nor is it contiguous to the church development. According to Section 7.4.D of the Unified Development Ordinance (UDO), off-premise signage is prohibited. In addition, the proposed sign location is on a lot currently being used as a residence that is zoned R-1 Single-Family Residential which does not allow for the use of directional traffic control signs.

Therefore, the applicant is requesting variances to the following regulations found in the Unified Development Ordinance in order to install a Traffic Directional Control Sign (TDC):

- Section 7.4.C “Summary of Permitted Signs” - to allow TDC signage in the R-1 zoning district; and,
- Section 7.4.D “Prohibited Signs” - to allow off-premise signage.

**APPLICABLE ORDINANCE SECTION:** The applicant is requesting such signage as would be compliant to Sections 7.4.F “Sign Standards” and 7.4.L “Directional Traffic Control Signs” which allows for a sign to be three square feet in area, four feet in height, and 50% copy/logo. However, Section 7.4.C “Summary of Permitted Signs” does not recognize that Directional Traffic Control Signs are permitted in the R-1 Single-Family Residential zoning district and Section 7.4.D “Prohibited Signs” precludes the use of off-premise signage.

**ORDINANCE INTENT:** To establish clear and unambiguous regulations pertaining to signs in the City of College Station and promote an attractive community, foster traffic safety, and enhance effective communication and exchange of ideas and commercial information.





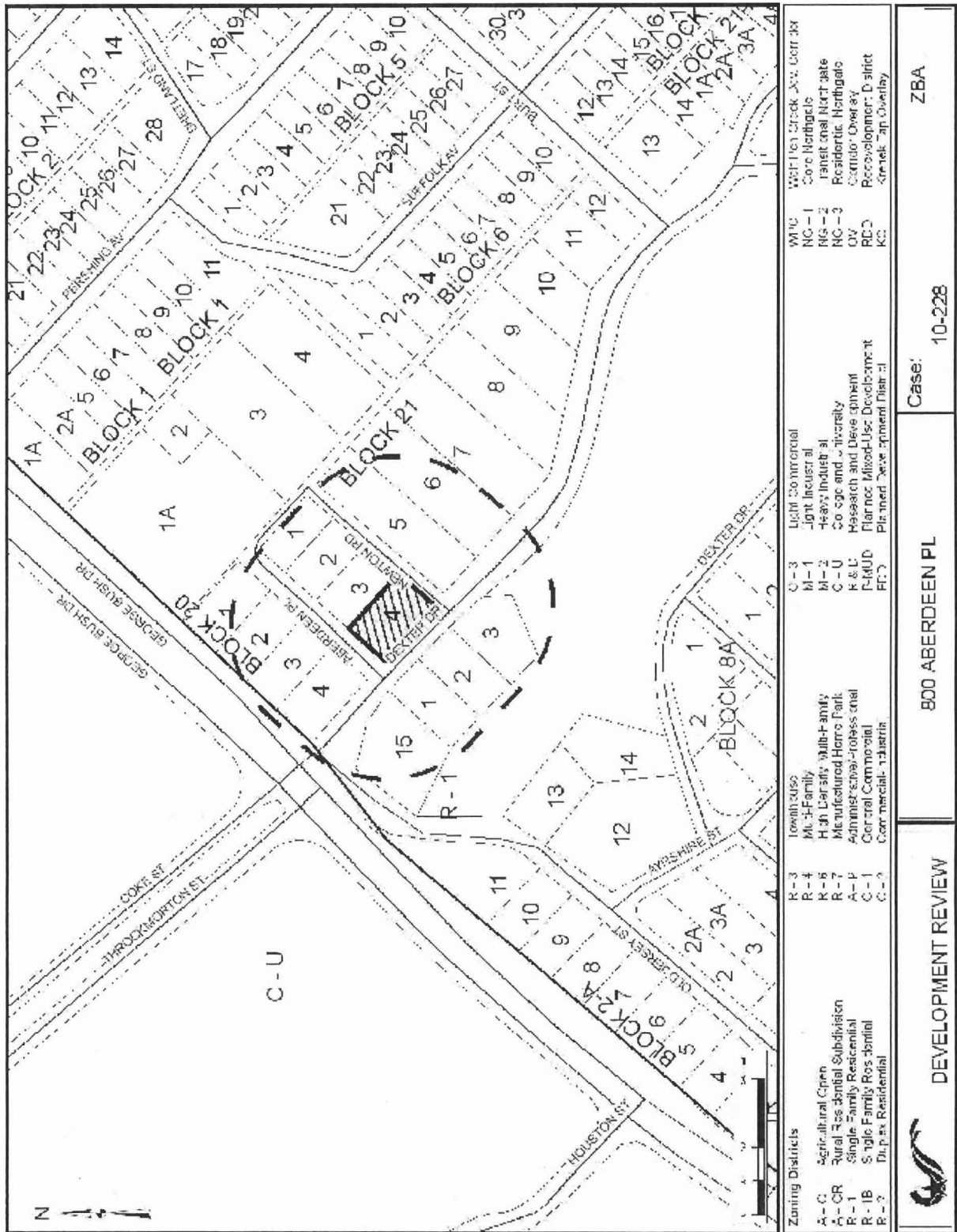
ZBA

Case: 10-228

800 ABERDEEN PL

DEVELOPMENT REVIEW





## NOTIFICATIONS

Advertised Board Hearing Date: November 2, 2010

The following neighborhood organizations that are registered with the City of College Station's Neighborhood Services have received a courtesy letter of notification of this public hearing:

None

Property owner notices mailed: Eight  
Contacts in support: Zero  
Contacts in opposition: Zero  
Inquiry contacts: Three

## ZONING AND LAND USES

Direction	Zoning	Land Use
<b>Subject Property</b>	R-1 Single Family Residential	Single-Family Residential
<b>Northwest</b>	N/A, Aberdeen Place	Local Street
<b>Northeast</b>	R-1 Single Family Residential	Single-Family Residential
<b>Southwest</b>	N/A, Dexter Drive	Two-Lane Minor Collector
<b>Southeast</b>	N/A, Newton Road	Local Street

## PHYSICAL CHARACTERISTICS

1. **Frontage:** The subject property has 135 feet of frontage on Dexter Drive and 80 feet of frontage along Aberdeen Place. Aberdeen Place, which consists of approximately 44 feet of right-of-way, dead-ends at the St. Thomas Episcopal Church parking lot after extending 300 feet from Dexter Drive.
2. **Access:** The current residence has driveway access off of Dexter Drive.
3. **Topography and vegetation:** The site is relatively flat with several mature trees surrounding the existing structure.
4. **Floodplain:** There is no floodplain on the subject property according to FEMA data.

## REVIEW CRITERIA

1. **Extraordinary conditions:** The applicant has stated that their building is located on George Bush Drive but accessed only from Dexter via Aberdeen. This causes visitors to become confused if not previously familiar with the parking location. Staff agrees that it is not common to see parking arranged in a manner where access is from a side street. However, granting the requested variance is not necessary for the applicant to continue the reasonable use of the land.

The applicant has also expressed concern that the proposed Hillel Foundation multi-story structure will further block Aberdeen and their parking from being easily viewed.

2. **Enjoyment of a substantial property right:** The variances are not necessary for the preservation and enjoyment of a substantial property right of the applicant.
3. **Substantial detriment:** The granting of these variances will not be detrimental to the public health, safety, or welfare, or injurious to other property in the area or to the City in administering this UDO.
4. **Subdivision:** The subject property is located within the College Park Subdivision. The requested variances will not prevent the orderly subdivision of that or other surrounding properties.
5. **Flood hazard protection:** The subject property is not located within a floodplain according to FEMA data.
6. **Other property:** Staff believes that the parking situation for the church is unique to the area. The neighboring place of worship has parking that abuts George Bush Drive and so may be easily discovered.
7. **Hardships:** The applicant believes their hardship to be the location of the parking which can be difficult to find for visitors and persons under stress. However, a hardship must be tied to the land itself and Staff does not believe that one exists for this property.
8. **Comprehensive Plan:** This area is designated as Neighborhood Conservation on the Comprehensive Plan and is located within an area identified for a future Neighborhood Plan. Since places of worship are existing throughout the designated area, Staff believes that the use is consistent with the Comprehensive Plan. However, allowing this proposed type of commercial signage inside the neighborhood, on a residential property, would be contrary to the residential character.
9. **Utilization:** The application of the UDO standards to this particular piece of property does not prohibit or unreasonably restrict the applicant in the utilization of his property for a single-family use.

#### **ALTERNATIVES**

Staff believes that language could be added to the existing sign facing George Bush Drive which could direct traffic to the Aberdeen entrance.

#### **STAFF RECOMMENDATION**

Staff is recommending denial based on the lack of a hardship and special condition. It is important to note that variances run with the land and, if granted, this variance would allow an off-premise sign to any future owner of the existing single-family home.

#### **SUPPORTING MATERIALS**

1. Application
2. Sign graphics (in packet)
3. Location photos (in packet)



FOR OFFICE USE ONLY	
CASE NO.:	10-228
DATE SUBMITTED:	9-30-2010
TIME:	11:02 AM
STAFF:	Majoral

## ZONING BOARD OF ADJUSTMENT APPLICATION

### MINIMUM SUBMITTAL REQUIREMENTS:

- ☒ \$250 Zoning Board of Adjustment Application Fee.
- ☒ Application completed in full. This application form provided by the City of College Station must be used and may not be adjusted or altered. Please attach pages if additional information is provided.
- ☐ Additional materials may be required of the applicant such as site plans, elevation drawings, sign details, and floor plans. The applicant shall be informed of any extra materials required.

Date of Optional Preapplication Conference \_\_\_\_\_

ADDRESS 800 Aberdeen Place, College Station, TX

LEGAL DESCRIPTION (Lot, Block, Subdivision) Lot 4 Block 21 College Park

APPLICANT/PROJECT MANAGER'S INFORMATION (Primary contact for the project):

Name Rev. Dr. Rhoda Montgomery E-mail rhoda@stthomasbcs.

Street Address 906 George Bush Drive

City College Station State TX Zip Code 77840

Phone Number 979-696-1726 Fax Number 979-696-1728

PROPERTY OWNER'S INFORMATION (ALL owners must be identified. Please attach an additional sheet for multiple owners):

Name Protestant Episcopal Church E-mail \_\_\_\_\_

Street Address 1225 Texas Street

City Houston State TX Zip Code 77002-3504

Phone Number 1-800-318-4452 Fax Number 713-520-5723

Current zoning of subject property R-1

Action requested (check all that apply):

- |   |   |
|---|---|
| <input type="checkbox"/> Setback variance         | <input type="checkbox"/> Appeal of Written Interpretation |
| <input type="checkbox"/> Parking variance         | <input type="checkbox"/> Special Exception                |
| <input checked="" type="checkbox"/> Sign variance | <input type="checkbox"/> Drainage Variance                |
| <input type="checkbox"/> Lot dimension variance   | <input type="checkbox"/> Other _____                      |

Applicable ordinance section to vary from:

UDO Article 7 Section 4.C signage & Section 7.4.D

### GENERAL VARIANCE REQUEST

1. The following specific variation from the ordinance is requested:

*Installation of one two-sided directional sign not to exceed 35' on corner of Aberdeen Place + Dexter Dr.*

2. This variance is necessary due to the following special conditions:

**Special Condition Definition:** To justify a variance, the difficulty must be due to unique circumstances involving the particular property. The unique circumstances must be related to a physical characteristic of the property itself, not to the owner's personal situation. This is because regardless of ownership, the variance will run with the land.

**Example:** A creek bisecting a lot, a smaller buildable area than is seen on surrounding lots, specimen trees.

**Note:** A cul-de-sac is a standard street layout in College Station. The shape of standard cul-de-sac lots are generally not special conditions.

*Saint Thomas Episcopal Church is located on Geo. Bush but can only be accessed from Dexter and Aberdeen*

3. The unnecessary hardship(s) involved by meeting the provisions of the ordinance other than financial hardship is/are:

**Hardship Definition:** The inability to make reasonable use of the property in accord with the literal requirements of the law. The hardship must be a direct result of the special condition.

**Example:** A hardship of a creek bisecting a lot could be the reduction of the buildable area on the lot, when compared to neighboring properties.

*The turn from Dexter Dr to Aberdeen Place is not recognizable to visitors or persons under stress*

4. The following alternatives to the requested variance are possible:

*No alternative means of identification is possible for those already in transit*

5. This variance will not be contrary to the public interest by virtue of the following facts:

*800 Aberdeen Place is church property and the other side is also a religious / educational use.*

The applicant has prepared this application and certifies that the facts stated herein and exhibits attached hereto are true, correct, and complete. IF THIS APPLICATION IS FILED BY ANYONE OTHER THAN THE OWNER OF THE PROPERTY, this application must be accompanied by a power of attorney statement from the owner. If there is more than one owner, all owners must sign the application or the power of attorney. If the owner is a company, the application must be accompanied by proof of authority for the company's representative to sign the application on its behalf.

*David S. Montgomery*  
Signature and title  
*Rector, St Thomas Church*

*30 September 2010*  
Date

Attachment to Zoning Board of Adjustment Application

SAINT THOMAS EPISCOPAL CHURCH, COLLEGE STATION  
906 George Bush Drive, College Station, TX 78840

**APPLICATION FOR VARIANCE FROM UDO Article 7 Section 4.C Signage**

**REQUEST**

Request to approve the installation of ONE two sided directional sign not to exceed 3 square feet in area, nor more than 4 feet in height on Lot 4 Block 21 College Park, at 800 Aberdeen Place at the junction with Dexter Street.

The area is R-1 Single Family Residential in which not signs are permitted.

**HARDSHIP STATEMENT**

The hardship stems from the historic location of Saint Thomas Episcopal Church, the diocesan student ministry known as Canterbury House, and the five-day educational program operated under the auspices of the church and known as the Saint Thomas Early Learning Center.

Since George Bush Drive (previously Jersey Street) was made into a divided highway the church site has only been accessed by proceeding south down Dexter Street and taking the first left onto a 20 foot right of way known as Aberdeen Place.

The only signage available to Saint Thomas Church is located in front of the church on George Bush Drive, and is approximately 500 feet east of the Dexter Street intersection. It is visible from cars travelling east, but not clearly from the outer lane, and is barely legible from the west bound lanes on George Bush. We accept that we are limited by code for this signage, so that the lettering "Parking off Dexter Street" is the only opportunity we have to direct visitors to the church or school facilities.

Drivers noting this sign, or advised by friends, students, or church members to turn onto Dexter from George Bush have difficulty recognizing the city street sign, only some 180 feet from the George Bush /Dexter junction, that indicates Aberdeen Place.

While long-time church-goers and parents familiar with the school are aware of the need to turn the lack of any church-related signage at the Aberdeen Street / Dexter Street intersection, a hardship exists for parents of students at Texas A&M University and Blinn College who may be visiting their student/ children, for individuals who may be called upon to collect children in an emergency, for individuals visiting the church premises for counseling in a state of stress, and for individuals who are visiting the church or any of its ministries for the first time, and perhaps for those attending a funeral service. In the case of individuals under stress, the hardship may well dissuade them from obtaining help that might be available, or reaching an individual who needs their assistance.

**IMPACT ON ADJACENT PROPERTY OWNERS AND USERS**

The residences at 800 and 802 Aberdeen Place are owned by Saint Thomas Church and occupied by students. Their vehicular access is from Newton Street, an almost invisible historic alley that dates back to the 1930s development of College Park. There is no objection from these residents to a discreet sign that would be located on the property known as 800 Aberdeen Place.

The corner lot on George Bush and Dexter houses the Jewish Student Center, known as the Hillel Foundation and all signage on that site relates, appropriately, to that function. The Foundation has submitted plans to build a larger facility on their site, the plans for which will further limit the visibility of Aberdeen Street, and it is presumed that signage meeting the UDO will draw attention to the Hillel Foundation on that corner.

The historical fact is that, with exception of the Single Family Residence at 804, Aberdeen Place only provides access to religious and educational activities. The public interest is therefore served better by providing clear direction to such activities.

#### **ALTERNATIVE SOLUTION**

No alternative to a carefully worded and permanent sign seems possible to assist visitors to locate Aberdeen Street, the only access to Saint Thomas Church.

#### **ADDITIONAL SUBMISSION MATERIALS**

It is our intention to provide an annotated drawing showing lots, roads and widths, distances between signs and junctions, etc

It is also our intention to provide photographs illustrating the current conditions from street locations, "drivers' view" images.